



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-0932; Airspace Docket No. 21-AEA-22]

RIN 2120-AA66

Amendment and Establishment of Area Navigation (RNAV) Routes; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This action amends a final rule published by the FAA in the *Federal Register* on December 7, 2022, that, among other actions, amended area navigation (RNAV) route T-224 by removing the AXEJA, AL, computer navigation fix (CNF) from the route description. This action re-inserts AXEJA into the T-224 description as an RNAV waypoint (WP) instead of a CNF. This action is necessary to match the FAA National Airspace System Resource (NASR) database information.

DATES: Effective date 0901 UTC, February 23, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the NAS.

History

The FAA published a final rule for Docket No. FAA-2022-0932, in the *Federal Register* (87 FR 74962; December 7, 2022) amending, in part, RNAV route T-224 by removing the AXEJA, AL, computer navigation fix (CNF) from the route description. The AXEJA Fix is a CNF. As described in the Aeronautical Information Manual (AIM), a CNF is a point described by a latitude/longitude coordinate that is required to support area navigation (RNAV) system operations. The GPS receiver uses CNFs in conjunction with WPs to navigate from point to point. However, CNFs are not used for air traffic control or communication purposes, and pilots do not use them for filing flight plans or navigating along a route. For that reason, the FAA removed the AXEJA, AL, CNF from the route description.

After publishing the rule, the FAA decided to convert AXEJA from a CNF to an RNAV WP. A WP is most often used in RNAV routes to indicate a change in direction or altitude along the route. With this change, it is appropriate to use AXEJA in the T-224 description. Therefore, this action re-inserts AXEJA into the T-224 description as a WP.

United States RNAV T-routes are published in paragraph 6011 of FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022, which is incorporated by

reference in 14 CFR 71.1. The RNAV routes listed in this document will be published subsequently in FAA Order JO 7400.11.

The Rule

This action amends 14 CFR part 71 by including the reference to AXEJA, AL, WP for the reasons explained under the History heading. This action conforms the route description to match the FAA NASR database information and does not make any substantive changes to RNAV route T-224. Therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of re-inserting AXEJA into the T-224 description as an RNAV WP instead of a CNF, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further

environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5-6.5b, which categorically excludes from further environmental impact review “Actions regarding establishment of jet routes and Federal airways (see 14 CFR § 71.15, *Designation of jet routes and VOR Federal airways*)...”. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6011 United States Area Navigation Routes

* * * * *

T-224 Palacios, TX (PSX) to Boston, MA (BOS) [Amended]		
Palacios, TX (PSX)	VORTAC	(lat. 28°45'51.93"N., long. 096°18'22.25"W.)
MOLLR, TX	WP	(lat. 29°39'20.23"N., long. 095°16'35.83"W.)
SHWNN, TX	WP	(lat. 29°56'45.94"N., long. 094°00'57.73"W.)
WASPY, LA	FIX	(lat. 30°01'33.88"N., long. 093°38'50.45"W.)
KNZLY, LA	WP	(lat. 30°08'29.48"N., long. 093°06'19.37"W.)
DAFLY, LA	WP	(lat. 30°11'37.70"N., long. 091°59'33.94"W.)
KJAAY, LA	WP	(lat. 30°05'15.06"N., long. 090°35'19.73"W.)
SLIDD, LA	FIX	(lat. 30°09'46.08"N., long. 089°44'02.18"W.)
WTERS, MS	WP	(lat. 30°24'24.36"N., long. 089°04'37.04"W.)
LYNRD, AL	WP	(lat. 30°43'33.26"N., long. 088°21'34.07"W.)
AXEJA, AL	WP	(lat. 31°02'32.36"N., long. 087°57'01.58"W.)
WILL, AL	WP	(lat. 31°27'33.96"N., long. 087°21'08.62"W.)
MGMRY, AL	WP	(lat. 32°13'20.78"N., long. 086°19'11.24"W.)
GONDR, AL	WP	(lat. 32°22'01.98"N., long. 085°45'57.08"W.)
RSVLT, GA	WP	(lat. 32°36'55.43"N., long. 085°01'03.81"W.)
SINCA, GA	FIX	(lat. 33°04'52.28"N., long. 083°36'17.52"W.)
UGAAA, GA	WP	(lat. 33°56'51.32"N., long. 083°19'28.42"W.)
ECITY, SC	WP	(lat. 34°25'09.62"N., long. 082°47'04.58"W.)
STYLZ, NC	WP	(lat. 35°24'22.83"N., long. 082°16'07.01"W.)
BONZE, NC	WP	(lat. 35°52'09.16"N., long. 081°14'24.10"W.)
MCDON, VA	WP	(lat. 36°40'29.56"N., long. 079°00'52.03"W.)
NUTTS, VA	FIX	(lat. 37°04'34.16"N., long. 078°12'13.69"W.)
WAVES, VA	WP	(lat. 37°35'13.54"N., long. 077°26'52.03"W.)
TAPPA, VA	FIX	(lat. 37°58'12.66"N., long. 076°50'40.62"W.)
COLIN, VA	FIX	(lat. 38°05'59.23"N., long. 076°39'50.85"W.)
SHLBK, MD	WP	(lat. 38°20'16.21"N., long. 076°26'10.51"W.)
PRNCZ, MD	WP	(lat. 38°37'38.10"N., long. 076°05'08.20"W.)
Smyrna, DE (ENO)	VORTAC	(lat. 39°13'53.93"N., long. 075°30'57.49"W.)
JIIMS, NJ	WP	(lat. 39°32'15.62"N., long. 074°58'01.72"W.)
Coyle, NJ (CYN)	VORTAC	(lat. 39°49'02.42"N., long. 074°25'53.85"W.)
DIXIE, NJ	FIX	(lat. 40°05'57.72"N., long. 074°09'52.17"W.)
Kennedy, NY (JFK)	VOR/DME	(lat. 40°37'58.40"N., long. 073°46'17.00"W.)
KEEPM, NY	FIX	(lat. 40°50'14.77"N., long. 073°32'42.58"W.)
Calverton, NY (CCC)	VOR/DME	(lat. 40°55'46.63"N., long. 072°47'55.89"W.)
YANTC, CT	WP	(lat. 41°33'22.81"N., long. 071°59'56.95"W.)
Boston, MA (BOS)	VOR/DME	(lat. 42°21'26.82"N., long. 070°59'22.37"W.)

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Issued in Washington, DC, on February 6, 2023.

Brian Konie,
Acting Manager, Airspace Rules and Regulations.
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